

108TH CONGRESS  
1ST SESSION

# H. R. 3134

To amend title 10, United States Code, and title III of the Federal Property and Administrative Services Act to require certain prospective government contractors to employ at least 50 percent of their employees in the United States.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2003

Mr. WALSH (for himself, Mr. JONES of North Carolina, Mr. LIPINSKI, Mr. GILLMOR, Mr. LATOURETTE, Mr. UPTON, Mr. QUINN, Mr. GOODE, Ms. KAPTUR, and Mr. CARSON of Oklahoma) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 10, United States Code, and title III of the Federal Property and Administrative Services Act to require certain prospective government contractors to employ at least 50 percent of their employees in the United States.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Manufac-  
5 turing Jobs Retention Act of 2003”.

1 **SEC. 2. REQUIREMENT FOR CERTAIN PROSPECTIVE GOV-**  
2 **ERNMENT CONTRACTORS TO EMPLOY AT**  
3 **LEAST 50 PERCENT OF EMPLOYEES IN THE**  
4 **UNITED STATES.**

5 (a) DEFENSE CONTRACTS.—Section 2305 of title 10,  
6 United States Code, is amended by adding at the end the  
7 following new subsection:

8 “(h) REQUIREMENT FOR EMPLOYMENT IN THE  
9 UNITED STATES.—(1) In the case of any contract for the  
10 procurement of goods and services to be entered into by  
11 a military department, the head of the military depart-  
12 ment may not consider a covered prospective contractor  
13 to be a responsible source unless the covered prospective  
14 contractor employs at least 50 percent of its employees  
15 in the United States.

16 “(2) For purposes of paragraph (1), a prospective  
17 contractor is covered if at least 10 percent of its annual  
18 gross receipts, during the year preceding the year in which  
19 the contractor submits a bid or proposal for the contract  
20 concerned, was attributable to contracts with the Federal  
21 Government.”.

22 (b) CIVILIAN AGENCY CONTRACTS.—Section 303B of  
23 title III of the Federal Property and Administrative Serv-  
24 ices Act of 1949 (41 U.S.C. 253b) is amended by adding  
25 at the end the following new subsection:

1       “(n) REQUIREMENT FOR EMPLOYMENT IN THE  
2 UNITED STATES.—(1) In the case of any contract for the  
3 procurement of goods and services to be entered into by  
4 an executive agency, the head of the executive agency may  
5 not consider a covered prospective contractor to be a re-  
6 sponsible source unless the covered prospective contractor  
7 employs at least 50 percent of its employees in the United  
8 States.

9       “(2) For purposes of paragraph (1), a prospective  
10 contractor is covered if at least 10 percent of its annual  
11 gross receipts, during the year preceding the year in which  
12 the contractor submits a bid or proposal for the contract  
13 concerned, was attributable to contracts with the Federal  
14 Government.”.

15       (c) IMPLEMENTATION.—The amendments made by  
16 this section shall be implemented through revisions to the  
17 Federal Acquisition Regulation.

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